

REMARKS

Claims 1-15 and 17-21 are pending in this application. By this Amendment, the Figs. 2 and 3 are replaced pursuant to the attached drawing sheet, claim 16 is cancelled without prejudice to or disclaimer of the subject matter contained therein, and claims 1, 9, 10 and 17-20 are amended, and claim 21 is added. Fig. 3 is corrected to replace the CRD label from "8" to --11--. Claims 1, 9 and 17 are amended, and claim 21 is added to recite features supported in the specification, for example, at page 11, lines 6-26 and Fig. 4. No new matter is added by any of these amendments.

Applicant appreciates the courtesies extended to Applicant's representative by Examiners Vuong and Mancuso during the December 3, 2004 personal interview. In accordance with MPEP §713.04, the points discussed during the interview are incorporated in the remarks below and constitute Applicant's record of the interview.

Reconsideration of the application is respectfully requested.

I. References are Properly Disclosed.

An Information Disclosure Statement along with form PTO-1449 is attached to this Amendment. The Information Disclosure Statement submits references cited in a foreign search report for the Examiner's consideration and formally making these references of record.

II. The Rejection of claim 16 under 35 U.S.C. §112, first paragraph is moot.

The Office Action rejects claim 16 under 35 U.S.C. §112, first paragraph, based on lack of enablement. This rejection is moot because claim 16 is cancelled. Withdrawal of the rejection under 35 U.S.C. §112, first paragraph is respectfully requested.

III. Claim 19 satisfies the requirements under 35 U.S.C. §112, second paragraph.

The Office Action rejects claim 19 under 35 U.S.C. §112, second paragraph, as being indefinite. Claim 19 has been amended to obviate this rejection. Withdrawal of the rejection under 35 U.S.C. §112, second paragraph is respectfully requested.

IV. Claims 1-15 and 17-21 define Patentable Subject Matter.

The Office Action rejects claims 1-7, 9-11, 14 and 15 under 35 U.S.C. §102(e) over U.S. Patent No. 6,384,918 to Hubble, III *et al.* (Hubble). This rejection is respectfully traversed.

Hubble does not teach or suggest a method of calibrating a printing system including forming and printing an output image on a support sheet, detecting an image quality parameter within a predetermined area of the output image, comparing the image quality parameter with an input parameter to determine an error adjustment, adjusting the image quality parameter based on the error adjustment, and automatically controlling a process station in the printing system as a function of the image quality parameter determined in the detecting step and adjusted in the adjusting step, as recited in claim 1.

Hubble also does not teach or suggest a process control system for calibrating a printing system including an image forming system for forming a developed image based on an input quality parameter, a support sheet for receiving the developed image to form an output image representative of an output image, an image quality sensor for measuring an output quality parameter of the output image on the support sheet and generating a signal representative of the image quality parameter in response to a comparison between the output quality parameter and the input quality parameter, as recited in claim 9.

Hubble discloses a spectrophotometer 12 for color printer control. In particular, Hubble teaches a color sensing system 10 with the spectrophotometer 12 for reading test patches 31 on sheets 30 traveling along an output path 40 of a color printer 20. The spectrophotometer 12 includes LEDs D1 – D10 with color filters 16, 17 and condenser lenses 18, 19 for directing the LED outputs to be collected through a central lens 13. See col. 11, lines 46-64, col. 12, line 56 – col. 13, line 14 and Fig. 2 of Hubble.

A claim must be anticipated for a proper rejection under §102(a), (b) and (e). This requirement is satisfied “only if each and every element as set forth in the claim is found,

either expressly or inherently described, in a single prior art reference.” See MPEP §2131.

Applicant respectfully submits that by failing to teach image quality comparison by a sensor with which to adjust the image quality parameter, and automatic control based on the image quality parameter that is and adjusted, Hubble fails to satisfy this requirement, and therefore cannot be properly applied to reject claims 1 and 9 and under §102. These reasons also apply by extension to claims 2-7 and added claim 21 by their dependence from claim 1, and to claims 10, 11, 14 and 15 by their dependence from claim 9.

The Office Action further rejects claims 8 and 20 under 35 U.S.C. §103(a) over Hubble. The Office Action further rejects claims 12, 13, 17 and 19 under 35 U.S.C. §103(a) over Hubble in view of U.S. Patent Application Publication No. 2002/0033454 to Cheng *et al.* (Cheng). The Office Action further rejects claim 16 under 35 U.S.C. §103(a) over Hubble in view of U.S. Patent No. 5,748,221 to Castelli *et al.* (Castelli). The Office Action further rejects claim 18 under 35 U.S.C. §103(a) over Hubble in view of Cheng and further in view of U.S. Patent No. 4,986,526 to Dastin. These rejections are moot with respect to claim 16 and are respectfully traversed regarding the remaining claims.

Applicant asserts that Hubble cannot be used for rejecting claims 8, 12, 13, and 17-20. Hubble qualifies as prior art with respect to this application only under 35 U.S.C. §102(e). Therefore, in accordance with 35 U.S.C. §103(c), Hubble cannot be used in a rejection under 35 U.S.C. §103(a). The application is assigned to Xerox Corporation of Stamford, CT recorded at Reel 011744, Frame 0539 on April 17, 2001, corresponding to the application filing date, the assignment right existing at the time of invention. The rights associated with Hubble also belong to Xerox Corporation, as shown on the face of the patent. Thus, Hubble and the application are commonly owned, thereby disqualifying Hubble as prior art under 35 U.S.C. §103(a). See MPEP §706.02(l)(1).

For at least these reasons, Applicant respectfully asserts that the independent claims are patentable over the applied references. The dependent claims are likewise patentable over

the applied references for at least the reasons discussed as well as for the additional features they recite. Consequently, the application is in condition for allowance. Thus, Applicant respectfully requests that the rejections under 35 U.S.C. §§102 and 103 be withdrawn.

V. Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully submits that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,



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JAO:GWT/gwt

Attachments:

Replacement Drawing Sheet (Figs. 2 and 3)
Information Disclosure Statement with PTO-1449

Date: December 17, 2004

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<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 24-0037</p>

Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig. 3. This sheet, which includes Figs. 2 and 3, replaces the original sheet including Figs. 2 and 3.

Attachment: Replacement Sheet: Figs. 2 and 3